

New Spring Wash Goods

Bucella Crochet Cotton

SPECIAL FOR SATURDAY

Our Regular

12 1-2c and 15c Cotton Batting 11c Roll

We have an overstock of batting at these prices and although cottons are advancing in price daily we are offering these two numbers for Saturday only at a price that will surely interest you.

Our regular

12 1-2c and 15c Cotton Batting 11c Roll

THE HOMER FITTS CO.

Gossard Corsets

La France Shoes

Pictorial Review Patterns

DELINQUENTS
NOT BARRED
ON REFERENDUM

(Continued from first page.)

and the town and city clerks shall perform the same duties in respect to the ballots to be used thereunder as are imposed upon those officials by chapters 11 and 12 of the public statutes, except as otherwise provided in the act, and all regulations shall be applicable to the votes provided for in this act. The two chapters named have references giving the titles of the chapters (11) to ballots, and (12) to warning and conducting elections. In considering the meaning of the provision making applicable to the votes provided for all regulations provided by law in conducting general elections, light is had by an examination of other statutes by which questions of general interest throughout the state have been submitted to the people. "The term 'general election' is defined by section five of the public statutes to mean 'any election of state and county officers, representatives to Congress or assembly, representatives to the state senate, or any other officers or representatives.' (By No. 1, section 1, of acts of 1915, it is made to include United States senators.) And throughout the public statutes the term 'general election' is uniformly used to designate what before had commonly been known as 'freemen's meeting.' This accounts for the change in language in providing for the referendums in the acts of 1915 from what it was in previous acts under which questions were submitted to the people. Thus in the act of 1852, prohibiting traffic in intoxicating liquor, section 28, provided for the holding of meetings in the several towns, 'at which the freemen of this state may express their judgment and choice in regard to this act' etc. See State vs. Parker, 26 Vt. 357. By the act of 1902, to regulate the traffic in intoxicating liquor, it was provided (section 101) the officers in every town or city shall call a special meeting 'providing for an opportunity of the freemen of this state to express their judgment and choice in regard to this act' etc. and section 103, of the act reads: 'All regulations provided by law for conducting freemen's meetings shall be applicable to the votes provided for on the referendums as provided for in section 101 of this act.'

"By the act of 1912, relating to the proposed articles of amendments to the constitution, section 2 provided that the people shall be assembled for the purpose of voting on said articles, in the respective towns and cities at the same time and place as for the annual town or city meeting, and that the warning for each meeting shall contain an article 'to see if the freemen will vote to accept or reject the proposed article of amendment to the constitution of Vermont.' By the act of 1912, No. 13, to provide for the election of a state building, it was provided that the selectmen in each town, when preparing the warning for the annual March meeting in 1914, should incorporate in such warning an article, in short, 'to see if such act should become a law July 1, 1914.' Section 10 of that act reads: 'All regulations provided by law for conducting general elections shall be applicable to the votes provided for on the referendum as hereinafter provided.' There, as in the acts under consideration, it was made the duty of the secretary of state to furnish the town clerk in each town with ballots to be used in such voting, and he was to canvass the returns made to him by the town clerks, as to the result of the vote, and issue his proclamation certifying the result of the vote and declaring the time when the provisions of the act shall take effect.

"It should be noticed, too, that in section 33 of the primary act under consideration, and section 59 of the prohibitory act under consideration, the word 'ballots' does not mean the same as the words 'votes' used in the same sections. The word 'votes' as used in said sections 33 and 59, has reference to the act of the voters in the use of such ballots. See State ex rel. McCue vs. Blaisdell, (N. D.), 119 N. W. 360. And the last

clause in each of the sections last referred to has reference to such regulations for conducting a general election, as are appropriate to the conduct of voting in a particular town.

"Giving this construction, the matter of checklists not being mentioned, we think the acts contemplate that the general provisions of P. S. 85, relating to checklists at local elections, should govern. There is nothing indicating that any checklist is required, except under that section, and there the requirement depends upon the town being of more than four thousand inhabitants, or upon a petition in writing of twenty or more of the legal voters being presented to the selectmen thereof. In either of those events the selectmen are required, at least thirty days before the annual town meeting, to make a checklist of the persons qualified to vote at such meeting, cause copies thereof to be posted, etc. If no checklist has been provided as required by that section, the right of a man to vote on the questions of the referendum under consideration does not depend upon the presence or absence of a checklist; but rather upon whether he falls within the class of voters contemplated by the legislature.

"If a checklist were required in every town in any event, the two enactments, like the act submitting to the people the question of the proposed constitutional amendments, would most likely have had provisions expressly relating thereto. A statute is to be construed with reference to its manifest object, and if the language is susceptible of two constructions, one of which will carry out and the other will defeat such manifest object, it should receive the former construction." In re National Guard, 71 Vt. 493, 81 St. 1051; Kx Parte Cohen, 104 Cal. 524, 43 Am. St. Rep. 127.

"If the purpose of the legislature was to place the matter of such voting before the town meeting as such, it was a very easy matter to say so in apt language and to let the expression of those who could legally vote in such meetings, without making the regulations for conducting general elections applicable to the votes provided for. The view here expressed is strongly borne out by the provisions in each act that 'a special ballot shall be provided for the reception of ballots provided for in this act, which shall be opened at the hour the meeting is called, and shall remain open until the close of the meeting not earlier than 3 o'clock in the afternoon.' It is significant in the same direction that no officer of the town meeting has authority to declare the results of the votes so given.

"From the above consideration, it is manifest that the questions of these referendums were not placed before the town meeting as such but for convenience, and perhaps for economy, there were placed before the people at that time and place, not as a town meeting wherein only those who paid their taxes before a specified date had a right to vote, but in effect as a special meeting of the freemen, in which all those who are entitled to vote at general elections may vote irrespective of the payment of their taxes. The legislators are the representatives of the people, and nothing short of plain and unmistakable language, showing such to be the intention of the legislature, will justify the conclusion that these important questions, affecting the entire people of the state, were submitted by that representative body other than to the people it represents. To submit the questions to less than the entire voting element of the people would be in conflict with the fundamental principle of democracy, the exercise of power by the mass of the people."

"The record shows that the checklist which the defendants, as the board of civil authority, were revising on the 26th day of February, was a copy of the checklist filed in the town clerk's office of the town by the selectmen, under the provisions of section 85 of the public statutes. We understand that the relation on demand was entitled to have his name inserted thereon, so that he may vote on the questions of the referendums under the two acts of 1915, at the time of the annual meeting of the town of Brookfield, March 7, 1916.

"Judgment that the prayer of the petition is granted, and that a mandamus

issue directing the defendants, as members of the board of civil authority of the town of Brookfield, forthwith to insert the relator's name on the said copy of the checklist as demanded by him, that he may vote on the said two questions of referendums, at the time of the annual meeting of the town, to be held March 7, 1916, without costs."

MONTPELIER

The Rutland corporation, a concern organized with capital stock of \$5,000, divided into 50 shares, to buy, sell and lease real estate and to hold mineral and stone properties, has filed articles of association with the secretary of state. The incorporators are George C. Underhill, James A. Merrill, F. D. White, Arthur H. Smith and E. A. C. Smith, all of Rutland City.

The condition of Miss Irene Dodge, who is critically ill at her home on Berlin street, remains practically unchanged.

The first degree was worked on a class of 15 candidates by the local council, Knights of Columbus, in their lodge rooms in the Union block last night. Those who were initiated were A. C. Thorlaunt, George D. Pitkin, William Corry, Gilbert Addy, Rev. T. Y. McCarthy, Francis Kelleher, William Henneberry, Fred Laborshire, James Carroll, Mitchell Tavernier, George Rivers, William Heney, William Kerin, Joseph Abair and Frank Fitzsimmons.

State's Attorney Fred E. Gleason returned this morning from Boston, where he made a brief business trip.

Miss Nellie Sturtevant of Middlebury left this morning for her home after a visit with Mr. and Mrs. A. L. Ploof of Loomis street.

Chief Justice Loveland Munson left this morning for his home in Manchester after having been in the city since Sunday because of the special session of supreme court. Other members of the court who reside in other parts of the state also left to-day for their respective homes.

In probate court to-day Robert M. Fraser was appointed administrator with the will annexed of the estate of Louis Barney, late of Montpelier. The Barre Savings Bank & Trust company, by F. G. Howland, has settled its account as trustee of a fund created by the last will of Lydia G. Haskins, late of Barre City.

Funeral services for Alvin P. Cummings, whose death occurred yesterday morning, were held in the Church of the Messiah at 2 o'clock this afternoon, being largely attended. Rev. Lewis C. Carson, pastor, officiated. The bearers were three cousins of the deceased, Willis D. Cummings and Lawson Cummings of this city, and Edgar Cummings of East Montpelier, and John Flint. Interment was made in the Cutler cemetery.

The fourth meeting of the board of civil authority will be held this evening at 7 o'clock in the city council chamber. The decision of supreme court made last evening will not affect the local board, inasmuch as they have been conducting the meetings contrary to the attorney general's ruling.

TALK OF THE TOWN

Clifford Peake of Underhill, an old-time barber in Barre, is renewing acquaintances in the city.

To-night at the Pavilion, Jere McAuliffe & Co. in "Nearly a Hero," with 16 new musical numbers.—adv.

George T. Bacon of Roxbury is passing a few days in the city as the guest of W. H. Rock of Farwell street.

Mrs. George Robertson and daughter, who have been spending several weeks in Quincy, Mass., and Boston, returned to the city last evening and have reopened their home on Thomas street.

Auction sale at Farnham's at Montpelier to-morrow. Twenty-two Dakota horses, lots of commission horses, all kinds sleds, sleighs, harnesses, robe, blankets, whp, etc. See adv. page 7. C. F. Smith, auctioneer.—adv.

Mrs. Elizabeth Carroll and daughter, Miss Alice Carroll, of Kearny, N. J., who accompanied the remains of William E. Carroll to this city for burial, are spending a few days with relatives in Barre, their former home. Mrs. W. E. Carroll and son, Howard, who also came to Barre with the remains, will visit in Montpelier for a time.

A horse dicker negotiated more than three years ago jumped up large in proceedings in city court this forenoon when the case of Rock vs. Fenwick came to trial before Judge H. W. Scott, and a jury of 12. J. Ward Carver appeared for the plaintiff and the defendant was represented by John W. Gordon. Action brought by William Rock of Farwell street against Carl Fenwick, an East Montpelier farmer, involves the allegation of fraud in the transfer of a horse. During the forenoon the plaintiff, Rock, testified and he was followed by his wife, his son, Henry Rock, and Dennis Trombley. Much interest centered about the testimony of Rock, Jr., who claimed to be able to distinguish clearly between conditional sales and mortgages, even though he was only 10 years old when the horse transaction was made. The case was resumed at 1:30 o'clock this afternoon, when the plaintiff continued his introduction of evidence. The following jury is sitting on the case: George I. Beckley, D. V. Camp, F. L. Sargent, D. A. Perry, Norman A. McDonald, William Oliver, H. N. Bailey, G. H. Page, E. H. Turner, H. E. Reynolds, Kenneth Nicholson and George F. Howe.

BARRE DAILY TIMES

THURSDAY, MARCH 2, 1916.

The Weather
Snow followed by clearing to-night. Friday fair; fresh north winds.

TALK OF THE TOWN

Don't fail to hear ex-Gov. Hanley next Saturday at 8 p. m. in the Barre opera house. Admission, free.—adv.

To-night at the Pavilion, Jere McAuliffe & Co. in "Nearly a Hero," with 16 new musical numbers.—adv.

Rummage sale in the emergency room, city hall, Saturday afternoon and evening, auspices ladies' auxiliary, Presbyterians church.

Men of Barre who intend to visit Boston for the automobile show be sure to be in Barre long enough on Tuesday to cast your vote for a dry city.—adv.

The Ida Read W. C. T. U. will meet to-morrow afternoon at 2:30 o'clock at the home of Mrs. E. D. Beckley, 6 Park street. Ladies come early, prepared to sew.

Madame Bernett, scientific palmist, will tell you all about business transactions, love, courtship and marriage. Don't fail to consult her. Room 2, Buzell hotel.—adv.

The first Friday will be observed at St. Monica's church, Mass at 7 a. m. Holy hour and benediction in the evening at 7:30. Promoters are requested to meet in the vestry at 7:15.

Large discount on winter millinery at Mrs. Miles' store, 70 North Main street, Monday, March 6, and display of early spring models from Boston and New York markets.—adv.

Mr. and Mrs. George Brigham of Kimball Corner, Orange, have returned home after having accompanied the remains of Mr. Brigham's father, Axel P. Brigham, to Milford, N. H., for burial.

A basketball game of more than passing interest will be staged in the Church street gymnasium to-morrow evening when the D. C. V. five will line up against the strong Bethel town team. This team was defeated by the fast-going Shamrocks by only one point and they defeated the Goddard team on the Bethel floor last evening by quite a good margin. The locals will use their strongest line-up and hope for a victory.

License means more dives and kitchen bar-rooms rather than less. License means more drunkenness rather than less. License in Massachusetts cities proves this: There were over two and one-third times as many illegal liquor sellers in licensed cities and towns of Massachusetts as in other cities and towns where there was no license. These facts are given by the Internal Revenue Dealer Tax Statistics.—adv.

Rev. E. F. Newell, pastor of the Hedding M. E. church, was the speaker before the East Montpelier speakers at East Montpelier hall last evening on the subject of state-wide prohibition. There was a good-sized attendance, and the address was listened to with interest. Rev. Mr. Newell was quite at home in a grange meeting inasmuch as he formerly was lecturer in a pomona grange. On Friday night he will speak at Orange.

Among the visitors in the city yesterday and to-day were the following people: W. C. Conrad of Lyndonville, George B. Peiper of Burlington, Carl C. Hambleton of White River Junction, W. J. Newcomb of Springfield, Miss Grace Bennett of Concord, N. H., M. J. O'Brien of Burlington, P. H. Owens of Greenfield, Mass., Frank Osborne of Bridport, Gordon A. Smith of South Ryegate, H. M. Young of Orleans, C. M. Armstrong of Enosburg Falls, Mr. and Mrs. Thomas Gaines of St. Stephen, N. B., H. A. Baird of Brandon, L. A. L. Gale of Boston, H. W. Clay of Burlington, L. B. Reilly and E. A. Greenwood of Burlington, Mr. and Mrs. J. F. Buley of Boston, A. H. Packham of Woodstock and R. M. Furnish of Brattleboro.

The Woman's Foreign Missionary society of the Hedding M. E. church held their annual thank offering at the church last evening. As has been the custom for several years on such occasions, a supper was served to the members of both the home and foreign mission societies and invited guests. The Standard Bearers were the guests of honor last evening. The vestry was prettily decorated in the society colors of white and gold and with the flags of the different nations where the work is being carried on. After the supper the guests were welcomed by Mrs. C. S. Andrews, president of the society, and the following program was given:

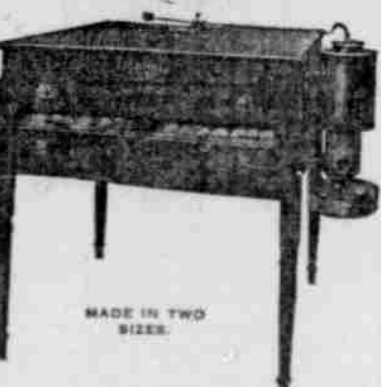
"The Story of the Standard Bearers," by Miss Velma Melcher, leader of that society; paper, "Educational Progress," Mrs. Newell; paper, "Achievements of Medical Women," Miss Bragg; duet, "Misses Mack; reading, by Miss Farnham. The emblem of the Standard Bearers, a white pennant with a blue enameled cross, in the form of a sterling silver pin, was presented to Miss Velma Melcher, leader of that society, by Mrs. Andrews, as a token of appreciation from the woman's foreign mission society.

TOO LATE TO CLASSIFY

FOR SALE—Gray horse, weighs 1,250 or 1,300; good driver and extra good worker. Apply at 40 Maple avenue. 29816

LOST—Xmas savings bank books on Quarry and Barre Savings banks. Finder return to Fieele Nedd at Vaughan's store. 29816

INCUBATORS



We have the agency for
Cyphers Incubators and
Brooders
Order early and not be
disappointed
C. W. AVERILL & CO.

TALK OF THE TOWN

Big package sale at Kenyon store starts at 9 o'clock Friday morning. Packages, 25c each.

To-night at the Pavilion, Jere McAuliffe & Co. in "Nearly a Hero," with 16 new musical numbers.—adv.

Mrs. Nourse and Mrs. Wilson left for Boston and New York yesterday, where they will visit the millinery parlors.

Mrs. Mary Williams and son, Milton Williams, of Summer street, left to-day for Granville, N. Y., where they were called by the death of a relative.

Miss Elizabeth Ghtolini of Blackwell street is at the City hospital recovering from an operation for appendicitis to which she submitted a short time ago.

Mrs. Edith Spargo-Beaulieu, who conducts a little store at 505 North Main street, was removed to the City hospital this morning in A. W. Badger & Co.'s ambulance.

F. T. Cutler of North Main street left this morning for Burlington, where he will set a monument for Elias Lyman. The monument is of the apire type and stands over 30 feet high. The job was cut by Barclay Brothers in this city.

Relatives of the late John Vercoe, Jr., have received word that the body left Denver on the Chicago Limited at 3 p. m. Tuesday. It is quite probable that it may arrive in Barre Saturday. Definite funeral arrangements will be given through the local columns of the paper.

Members of Ruth chapter, No. 33, O. E. S., held their annual dance in Howland hall last evening with about 80 couples present. A large variety of dances were included in the 36 numbers given, the waltz, two-step and one-step being among the most numerous. Carroll's orchestra furnished music, the usual concert from 8 to 9 being omitted and the dancing stopped at 12 o'clock. Punch and wafers were served by several girls in one corner of the hall.



Feet First

When you're considering comfort, and Ralston first when you're considering feet.

RALSTON SHOES
for men
\$4.50 and \$5.00

fit as though made to your measure. They require no breaking in. We might say that comfort was the first thing considered in making them if they were not so pre-eminent stylish. You can feel sure of both style and comfort in buying Ralstons.

DOUBLE PONY VOTES
THURSDAY AND
FRIDAY



People's Shoe Store
C. S. Andrews, Prop.
Barre, Vermont

CLOSING OUT SALE

Knitting Cottons, 5c value 4c
Embroidery Silks, per dozen 15c
Children's Wool Underwear 39c
One lot of Infants' Jackets, soiled, 98c value 50c
Wire Hair Pins, 10 boxes for 5c
Handkerchiefs, 3c value, per dozen 20c
Girls' Cashmere Gloves, 25c value, for 15c
Velveteen, Red and Green, 50c value, for 35c
Ladies' Wool Drawers, \$1.25 value, for 79c

Henry W. Knight

Gordon Block, Next to N. D. Phelps Co.'s Phone 590

COAL AND WOOD

More cold weather is coming. Get ready by having some Coal and Wood on hand.

Best Block Wood, per cord \$3.00
Clean, bright, Second-Growth Wood, per cord... 2.50
Chair Wood, per load 2.50
Soft Slab Wood, per load 1.75

We have the very best Lehigh and Free-Burning Coals in all sizes.

The D. M. Miles Coal Company

122 No. Main Street

Tel—Office, 133; Shed, 417-M

TALK OF THE TOWN

The amusement committee of the Odd Ladies will meet at the home of Mrs. Crisnie Walker, 8 Laurel street, Friday evening at 7 o'clock.

J. H. Allen returned this forenoon to his home in Springfield, Mass., after spending several days with friends in Barre and vicinity.

E. T. Cooper, who has been spending several days in the city as a guest in the home of Joseph Parker of Hill street, left last night for St. Johns, P. Q., where he is to remain for a few days before returning to his home in Toronto, Ont.

"Idols of Clay," a charming romance based upon the excerpt from a famous classic, "We are only as the potter's clay, made to be fashioned as the artist wills, and broken into shreds if we offend the eye of him who made us." A three-reel feature with Bob Leonard and Ella Hall. At the Bijou.—adv.

Persons desiring to vote on state or local issues or both in the elections next Tuesday are asked to bear in mind that the board of civil authority holds its last meeting this evening in the city court room at 7 o'clock. After to-night it will be quite impossible for a voter to register. The names are to be turned over to the printer at once in order that the ward checklists may be ready for use next Tuesday morning.

An extension of the Western Union Telegraph company's service in Barre became partially effective this morning when John Bainbridge began work as a messenger boy. Hereafter the local office will have in operation a messenger service through which persons desiring to dispatch telegrams may summon a messenger boy to their home or place of business. Two boys will now devote their whole time to receiving and delivering telegrams. It is intimated that the night service of the Barre office is to be improved as to eliminate some of the inconveniences encountered by persons, desiring to send a telegram after 10 o'clock. And it is possible, too, that an extra operator is to be added to the local staff.

Next to Nothing

"Why does your wife dry the clothes in the cellar now? That isn't healthy, is it?"

"To tell the truth, daughter is wearing so little that mother is ashamed to hang the stuff in the yard."—Judge.

Editor—We can use this joke if you'll take 50 cents for it. I never get less than a dollar for that joke."—Life.

WILLIAMSTOWN.

At the meeting of the Odd Fellows Friday evening, March 3, the second degree will be worked. Per order noble grand.

Sick Room
Rubber Goods

receive our special attention. We are at all times equipped to supply your needs at shortest notice, with practical first quality Rubber Goods. We sell the famous advertised brand of Kantelek Rubber Goods and guarantee utmost satisfaction and value.

Telephoned orders from you, your nurse or physician receive our instant attention—the deliveries are prompt and correct.

Drown's Drug Store
48 NORTH MAIN STREET

Union Dry Goods Company

"THE NEW STORE"

Fashionable Outer Garments for Spring

We cordially invite everyone to visit our Ready-to-Wear Department and see the new SPRING SEASON'S LATEST MODELS IN SUITS, COATS AND DRESSES.

Depend upon this store for the NEWEST IDEAS in UP-TO-DATE WEARING APPAREL, garments that are nobby and exclusive and at PRICES EVERY LADY CAN AFFORD TO PAY.

THE NEW SUITS will surely please you. Made in the most fashionable fabrics and colorings, and the styles are positively correct in every detail. Let us show you to-day.

THE NEW COATS are especially attractive and comprise all the new features. Ask to see the special assortment of new spring models at \$9.75. These are exceptional values.

For To-morrow, Friday Only

A BIG SALE OF GOWNS AT 59c EACH

Just to create some extra buying enthusiasm in this department to-morrow, we offer 12 DOZEN LADIES' HIGH-GRADE COTTON NIGHTGOWNS, some with low neck and short sleeves, others high neck and long sleeves, prettily trimmed with lace, ribbon and hampburg, and a full line of sizes. These dainty new fresh garments are well worth up to \$1.00 each. ON SALE FRIDAY AT 59c each

We sell McALL PATTERNS. They are the best known everywhere, East and West.

THE UNION DRY GOODS COMPANY

191 North Main Street

Phone 599-M

Fur Coats

We are making some unheard of price reductions on the balance of our FUR COATS.

You cannot afford to miss the opportunity we are offering.

This weather demands FUR COATS.

Frank McWhorter Co.